

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

O & B, INC.,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

Case No. 2:14-cv-10100

Hon. Avern Cohn

Mag. Judge R. Steven Whalen

Plaintiff's Answers to
DEFENDANTS' FIRST SET OF INTERROGATORIES

Please take notice that pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Defendant United States of America and its agency, the Department of Agriculture, hereby requests that Plaintiff O&B, Inc., answer in writing and under oath the following interrogatories within thirty (30) days of receipt hereof.

INSTRUCTIONS FOR USE

A. These interrogatories are directed to Plaintiff O&B, Inc. The answers to the interrogatories are to be completed to the best knowledge of it, its attorneys, investigators, agents, employees or other representatives of it and its attorneys.

B. These interrogatories are to be regarded as continuing, and Plaintiff is required to provide by way of supplementary responses hereto, such additional information as may hereafter be obtained by it or by any person on its behalf, which will augment or otherwise modify any answers previously given. Such supplementary responses are to be served upon Defendant within thirty days of receipt of such information, but not later than the time of the trial.

DEFINITIONS

- A. "Person" means, unless otherwise specified, any natural person, partnership, firm, corporation, association, group or organization.
- B. "You" or "your" means Plaintiff O&B, Inc., or any person acting on its behalf.
- C. When used in connection with an individual, "identify" means to set forth the person's name, job title, address, and telephone number. When used in connection with a business entity, "identify" means to set forth the entity's name, address, and telephone number.
- D. When used in connection with an event, "describe" means that you should include in your answer the date of the event that is the subject of the answer.
- E. "Document" means any written, recorded, or graphic material of any kind that is now in your actual possession, custody, or control, or in the possession, custody, or control of your agents, employees, attorneys, or representatives of any type whatsoever. For purposes of illustration only, the term "document" includes, but is not limited to, any printed, written, typewritten, recorded, transcribed, photographed, or other graphic matter and any other information storage medium including, but not limited to, tapes, disks, and computer software or programs. A copy of a document containing notations or markings of any kind not found in the original is to be deemed a separate and distinct document and must be produced.

INTERROGATORIES

1. Please identify any and all employees of O&B, Inc., from 2006 to the present, by name, position title, current address, current telephone number, social security number, date of birth, and beginning and end dates of employment,.

RESPONSE:

Kamal Berro, Rami Berro, Zack Hamzi, Osama Berro (see attached for addresses)

2. What hours, for each day of the week, does O&B, Inc., currently operate? If the hours of operation have meaningfully changed in the past year, please specify the prior hours of operation and when that change occurred.

RESPONSE:

24 Hours.

3. Please identify any and all corporations, limited liability companies, partnerships, joint ventures, sole proprietorships, or any other business entity in which Kamal Berro is or was a shareholder, officer, director, and/or executive from 2004 to the present. For each such entity, please list all shareholders, officers, and executives, from the date of that entity's inception to the present. For each such shareholder, officer, director, and executive, please provide the following: (a) name, (b) home address, (c) phone number, (d) spouse's name (if any), (e) spouse's home address, (f) spouse's phone number, (g) shareholder's, officer's or executive's relationship to the store (i.e., title, position, status as shareholder, and/or percentage of shares owned), and (h) start and end dates for which the individual held that title or position.

RESPONSE:

Kamal Berro owner of O & B (100%) see attached.

Food Stamp License holder from 2006 to present (see attached)

4. Please identify any and all corporations, limited liability companies, partnerships, joint ventures, sole proprietorships, or any other business entity in which Oussama Berro is or was a shareholder, officer, director, and/or executive from 2004 to the present. For each such entity, please list all shareholders, officers, and executives, from the date of that entity's inception to the present. For each such shareholder, officer, director, and executive, please provide the following: (a) name, (b) home address, (c) phone number, (d) spouse's name (if any), (e) spouse's home address, (f) spouse's phone number, (g) shareholder's, officer's or executive's relationship to the store (i.e., title, position, status as shareholder, and/or percentage of shares owned), and (h) start and end dates for which the individual held that title or position.

RESPONSE:

Osama Berro owns building located at 4710 W. Warren, Detroit, MI 48210.

5. List any business entity (including but not limited to partnerships, corporations, limited liability companies, and sole proprietorships, other than O&B, Inc.) in which any current shareholder, officer or executive of O&B, Inc., and his or her spouse are or were a shareholder, officer, director, or executive, from 2004 to the present. For each such entity, please list its (a) name, (b) address, (c) phone number, (d) nature of O&B, Inc.'s shareholder's, officer's, executive's, or his/her spouse's association with or interest in that entity, and (e) dates of that association with or interest in that entity.

RESPONSE:

Bingham Auto Corp (name reserved). Company never active. (Osama Berro).

One other company opened (Plaintiff does not recall name. Company never active).

6. List any business entity (including but not limited to partnerships, corporations, limited liability companies, and sole proprietorships, other than O&B, Inc.), that lists its business address as 4710 W. Warren Avenue, Detroit, Michigan 48210. For each such entity, please list its name, address, phone number, nature of O&B, Inc.'s (or any of O&B, Inc.'s shareholders', officers', directors', and/or executives') association with or interest in that entity, and dates of that association with or interest in that entity.

RESPONSE:

No other business used this address.

7. Please identify, by name, address, and telephone number, any and all accountants who performed work for or were consulted by O&B, Inc., from 2006 through the present. For each accountant, state the subject matter of that work or consultation.

RESPONSE:

JD Group (Requested Records are attached).

8. Please list all food vendors and suppliers for the store located 4710 W. Warren Avenue, Detroit, Michigan, from 2006 to the present. For each vendor or supplier, list the name,

address, phone number, type of food, and beginning and end dates of vendor or supplier relationship.

RESPONSE:

Chase Wholesale, Martin and Synder maid suppliers. See Attached.

9. Please list any and all insurance policies purchased by or applicable to O&B, Inc., from 2006 to the present, by insurer, along with each insurer's address, insurer's phone number, insurance policy number, type of coverage, and end date of coverage.

RESPONSE:

Schoemaker Insurance. Policy will be provided.

10. Please list any and all utilities (such as telephone, electricity, water, heat, and gas, etc.) purchased, used, or invoiced by or to O&B, Inc., from 2006 to the present, by name, along with each utility's address, phone number, account number, type, and beginning and end dates of service.

RESPONSE:

Utility Bills are attached. Republic services, DTE, Att, City of Detroit water. CDE services.

11. Does O&B, Inc., hold, or has it ever held, a mortgage on the property at 4710 W. Warren Avenue in Detroit, Michigan? If yes, (a) what is the current status of that mortgage, (b) who (by name, address, and phone number) owns that mortgage, (c) who (by name address,

and phone number) is liable for that mortgage, (d) what is the balance of that mortgage, and (e) how and when did the current mortgagee acquire this mortgage?

RESPONSE:

Property is registered under K & B is owner of property. See Attached records.

12. Please identify each and every bank, credit union, or other financial institution at which O&B, Inc., its officers or executives, had or have an account used for conducting its business, from 2006 to the present. For each account, please provide the (a) name, address, and phone number of the bank, credit union, or other financial institution, (b) the account number, (c) account name, (d) type of account, (e) authorized signatories on the account, (f) the beneficiaries of the account, and (g) the dates of the existence of the account.

RESPONSE:

Ciena Capital, Mortgage on building.

Comerica Business Account.

13. Has O&B, Inc., or any of its current shareholders, officers, or executives ever been a party to a lawsuit other than the present one? If so, describe each lawsuit, stating the name and court number of each lawsuit, the court in which it was filed, the date or year it was filed, the nature of the suit, the ultimate disposition of the suit, and the year in which the suit was concluded.

RESPONSE:

None other than this one.

14. Have any of the officers or executives of O&B, Inc., been arrested, charged, indicted, or convicted of any crime other than traffic violations within the past twenty years, and has O&B, Inc., been charged, indicted, or convicted of any crime within the past twenty years? If so, please state the date and nature of each alleged criminal offense and, if convicted, the court in which he/she/it was convicted, the date of conviction, and the sentence imposed.

RESPONSE:

No.

15. Please enumerate the history of payments by O&B, Inc., or any other entity or person on its behalf, that have been made on any real estate lease with O & K B, LLC or any other entity, from the inception of the obligation to the present. For each such obligation, please specify (a) the date and amount of each payment; (b) whether any payment included interest; (c) if so, the amount of interest; (d) whether any payment included a late fee or penalty; (e) if so, the amount of fee or penalty; and (f) the total outstanding obligation.

RESPONSE:

Kamal Berro from 2004 to present. See attached.

16. Please state whether O&B, Inc., or any other entity or person on its behalf, has been in default any of the following: (a) a real estate lease with O & K B, LLC (or any other entity or person with whom O&B, Inc., has a lease); and (b) a contract for the sale of interest in O&B, Inc., by transfer of capital stock. If so, please state the date of the default; the act or omission that

resulted in default; how the obligation holder responded to the default; and what and when O&B, Inc., did to cure the default, if anything.

RESPONSE:

Mortgage Default.

17. State the name, address, and telephone number of each witness, lay or expert, who you may call as a witness at the trial of this case, either in person or by de bene esse deposition, setting forth a summary description of each witness's anticipated testimony.

RESPONSE:

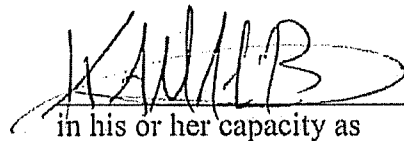
Kamal Berro, Osama Berro, Alex Barnett, agents and employees, current and former

Off O & B. Customers, current and former.

DECLARATION

I, Kamal Berro, in my capacity as Owner, on behalf of O&B, Inc., plaintiff, declare under penalty of perjury that the foregoing responses to Defendants' First Set of Interrogatories, are true and correct.

Executed on June 11, 2014.

A handwritten signature in black ink, appearing to read 'KAMAL B', is written over a horizontal line.

in his or her capacity as

_____ on behalf of O&B, Inc., Plaintiff

Respectfully submitted,

BARBARA L. MCQUADE
United States Attorney

THERESA URBANIC (P68005)
Assistant United States Attorney
United States Attorney's Office
211 W. Fort Street, Suite 2001
Detroit, Michigan 48226
Phone: (313) 226-9778
E-mail: theresa.urbanic@usdoj.gov

Dated: April __, 2014

CERTIFICATE OF SERVICE

I hereby certify that on April ___, 2014, I sent by regular U.S. Mail Defendant's First Set of Interrogatories, to:

Raymond J. Salloum
Law Offices of Raymond J. Salloum P.C.
36700 Woodward Ave. Ste. 209
Bloomfield Hills, MI 48304

ROBERTA SISKI
Legal Assistant
United States Attorney's Office
211 W. Fort Street, Suite 2001
Detroit, Michigan 48226
Phone: (313) 226-9540